

FILED
2020 NOV 24
CLERK
U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

VEOLIA WATER SOLUTIONS &
TECHNOLOGIES SUPPORT,

Petitioner,

v.

NORDIC WATER PRODUCTS, AB., and
WESTECH ENGINEERING, INC.,

Respondents.

**ORDER DENYING REQUEST TO
SUBMIT FOR DECISION**

Case No. 2:20-cv-00043-JNP

District Judge Jill N. Parrish

Before the court is a Request to Submit for Decision (ECF No. 52) filed by Veolia Water Solutions & Technologies Support (“Veolia” or “Petitioner”). On July 16, 2019, Nordic Water Products, AB (“Nordic”) and WesTech Engineering, Inc. (“WesTech”) (collectively “Respondents”) filed suit in this court seeking a declaratory judgment of non-infringement of Veolia’s patent. *See* Case No. 2:19-cv-00497, ECF No. 2. While that matter was pending before the court, Veolia filed a Petition to Compel Arbitration (“Petition”) in the Eastern District of North Carolina on August 7, 2019. Subsequently, Veolia also filed a Motion for Preliminary Injunction (“Motion”) on August 20, 2019, requesting that the North Carolina court enjoin the litigation in this court (ECF Nos. 9&10).


On January 22, 2020, Judge Flanagan of the Eastern District of North Carolina transferred this case to this District (ECF No. 33). In so doing, he denied without prejudice the Petition and the Motion. Thus, while Veolia asserts that the Petition and Motion are “ready for decision” by this court, Judge Flanagan’s order renders those filings inoperative. Further, in the time since

Veolia filed its Petition and Motion, this court dismissed Respondents' separate action, Case No. 2:19-cv-00497, for lack of personal jurisdiction over Veolia. This dismissal may affect the parties' arguments regarding the Petition and Motion.

Therefore, the court DENIES Veolia's Request to Submit for Decision the Petition and Motion. Veolia must refile any petition or motion it wishes the court to consider. The briefing schedule regarding any such petition or motion will be pursuant to the Local Rules of Practice. *See* DUCivR 7-1.

DATED November 24, 2020.

BY THE COURT



Jill N. Parrish
United States District Court Judge